

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK (POUGHKEEPSIE)

IN RE:

MICHAEL W. TIERNEY,
KELLY A. TIERNEY,

DEBTORS.

CASE NO.: 12-37132-CGM
CHAPTER 13

HON. CECELIA G. MORRIS

**ORDER DENYING MOTION TO APPROVE
TRIAL MODIFICATION AGREEMENT**

THIS CASE came on for hearing on U.S. BANK NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA, NA, SUCCESSOR IN INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2004-HE6, ASSET-BACKED CERTIFICATES, SERIES 2004-HE6 ("Secured Creditor") Motion to Approve Trial Modification Agreement. The Court heard argument of the Parties and has based its decision on the record. Accordingly, it is

ORDERED:

1. Secured Creditor's Motion to Approve Loss Mitigation Settlement Agreement is DENIED.
2. The Court denies Secured Creditor's Motion on the grounds that loss mitigation has been terminated.

Dated: October 12, 2017
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
Chief U.S. Bankruptcy Judge